

ARKANSAS SUPREME COURT

No. CR 07-179

MICHAEL F. JACKSON
Appellant

v.

STATE OF ARKANSAS
Appellee

Opinion Delivered April 26, 2007

PRO SE MOTION FOR ACCESS TO
HEARING TRANSCRIPT AND
EXTENSION OF TIME TO FILE
APPELLANT'S BRIEF [CIRCUIT
COURT OF MISSISSIPPI COUNTY,
CHICKASAWBA DISTRICT, CR 98-
281, HON. JOHN NELSON
FOGLEMAN, JUDGE]

REMANDED TO SETTLE THE
RECORD.

PER CURIAM

On August 25, 2006, appellant Michael F. Jackson, an inmate in the Arkansas Department of Correction, filed a petition in the trial court for writ of mandamus and declaratory judgment concerning his conviction on a charge of first-degree battery. The trial court entered an order granting some relief on January 12, 2007. Prior to the entry of that order, appellant filed a motion for reconsideration, indicating that it followed a ruling from a hearing on December 27, 2006. The trial court denied the motion to reconsider in an order entered January 22, 2007. Appellant timely filed notice of appeal as to both orders.

Now before us is appellant's motion in which he requests access to the hearing transcript and additional time in which to file appellant's brief. As no transcript of any hearing was included in the record lodged in this court, we remand to the circuit court to settle the record. It is clear that the transcript of a hearing on appellant's petition filed August 25, 2006, may be pertinent to any review

of the matter, and, accordingly, we must know if such a hearing was actually conducted. If a hearing was held, we direct the circuit clerk to prepare and provide a transcript of that hearing when the remand is returned. The remand is returnable within 30 days of the date of this opinion.

Remanded to settle the record.